United States District Court
Northern District of California

DR. JAMES M. SWANSON,

        Plaintiffs,

    v.

ALZA CORPORATION,

        Defendants.

Case No.: CV 12-04579-PJH (KAW)

ORDER TERMINATING DEFENDANT'S REQUEST FOR TELEPHONIC CONFERENCE; ORDER DENYING PLAINTIFF'S REQUEST FOR TELEPHONIC CONFERENCE

(Dkt. Nos. 110, 119 & 120)

On December 13, 2013, Defendant ALZA Corporation filed a declaration and request for a telephonic conference to enforce the Court's meet and confer requirement. (Dkt. Nos. 110 & 119.) In the letter, ALZA informed the Court of its repeated, unsuccessful attempts to meet and confer with Plaintiff regarding the sufficiency of Plaintiff's discovery responses. *Id*.

On December 17, 2013, Plaintiff filed a separate request for a telephonic conference. (Dkt. No. 120.) Plaintiff explained that "Dr. Swanson's alleged delay in serving these supplemental responses (despite there being no discovery cutoff) can be attributed to ALZA's tactics." *Id.*at 2. Plaintiff also informed the Court that ALZA refuses Plaintiff's requests to meet and confer regarding ALZA's production of documents. *Id*. In the absence of a joint letter written by the parties, any dispute pertaining to ALZA's document production is not properly before the Court.

On December 18, 2013, ALZA withdrew its request for a telephonic conference in light of Plaintiff's willingness to meet and confer. (Dkt. No. 121.)
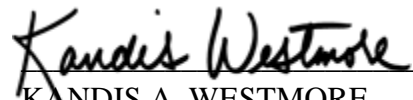
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1   Accordingly, the Court terminates ALZA's request (Dkt. Nos. 110 & 119) as moot, and

2   DENIES Plaintiff's request for a telephonic conference (Dkt. No. 120) on the grounds that the

3   parties have not met and conferred. The parties are ordered to meet and confer in good faith

4   before seeking further court intervention.

5   IT IS SO ORDERED.

6   Dated: December 18, 2013

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    KANDIS A. WESTMORE
7   United States Magistrate Judge

United States District Court
Northern District of California

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